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DT03 Rec'd PCT/PTO

16 MAR 2005

PCT\$

PTO-1390 (Rev. 12-2004)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**ATTORNEY'S DOCKET NUMBER
0740-70

U.S. APPLICATION NO. (If known, See 37 CFR 1.5)

10/528284

INTERNATIONAL APPLICATION NO.
PCT/DE2003/003094INTERNATIONAL FILING DATE
17 September 2003PRIORITY DATE CLAIMED
17 September 2002

TITLE OF INVENTION

METHOD FOR AUTOMATICALLY HANDLING UNDESIRE ELECTRONIC MAIL IN COMMUNICATION NETWORKS AT THE RECIPIENT END

APPLICANT(S) FOR DO/EO/US
Walter Keller

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

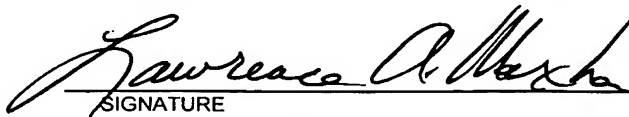
1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/528284		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER 0740-70	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/>	a) Basic national fee.....	\$300.00		\$ 300.00	
<input checked="" type="checkbox"/>	b) Examination fee.....	\$200.00		\$ 200.00	
<input checked="" type="checkbox"/>	c) Search fee.....	\$500.00		\$ 500.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 - 20 =	0	x \$50.00	\$	
Independent claims	1 - 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 1,000.00	
Amount to be refunded:					\$
Amount to be charged					\$
a. <input checked="" type="checkbox"/>	A check in the amount of \$ <u>1,000</u> to cover the above fees is enclosed.				
b. <input type="checkbox"/>	Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-0460</u> . A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/>	Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
The Maxham Firm					
750 B Street, Suite 3100					
San Diego, CA 92101 USA					
619-233-9004					
				 SIGNATURE Lawrence A. Maxham, Esq. NAME 24,483 REGISTRATION NUMBER	

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

In re

Applicants	:	WALTER KELLER
U.S. Application No.	:	UNKNOWN
International Application No.	:	PCT/DE2003/003094
International Filing Date	:	17 September 2003 (17.09.2003)
For	:	METHOD FOR AUTOMATICALLY HANDLING UNDESIRE ELECTRONIC MAIL IN COMMUNICATION NETWORKS AT THE RECIPIENT END
Priority Data	:	DE 102 43 243.0 Filed: 17 September 2002 (17.09.2002)
Our Attorney/Docket Reference	:	0740-070

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

EXPRESS MAIL LETTER

The below items are enclosed with this letter for filing the above-identified National Phase application:

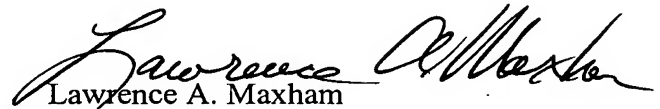
- | | |
|---|-------------|
| 1. Express Mail Certification | (1 page); |
| 2. Transmittal Letter to the U.S. Designated/Elected Office | (2 pages); |
| 3. Declaration for Patent Application (Unexecuted) | (2 pages); |
| 4. Power of Attorney (Unexecuted) | (1 page); |
| 5. Verification (1 page), English translation of
PCT application as filed | (7 pages); |
| 6. English translation of Replacement claims 1-7
as filed in PCT application | (2 pages); |
| 7. Preliminary Amendment w/new claims 9-28 (6 pages)
with substitute Specification | (16 pages); |
| 8. Drawing | (2 sheets); |
| 9. Request (PCT/RO/101) | (4 pages); |

10. Copy of Published International Application
WO 2004/028103 A1 (15 pages);
11. International Search Report (PCT/ISA/210) as published (2 pages);
12. Copy of Form PCT/IB/416/409/Written Opinion (6 pages);
13. Check in the amount of \$1,000.00; and
14. Return Postcard.

The serial number of the Express Mail certificate is EV 562505594 US, mailed on 16 MARCH 2005.

Respectfully submitted,

WALTER KELLER



Lawrence A. Maxham
Attorneys for Applicant
Reg. No. 24,483

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A PROFESSIONAL LAW CORPORATION

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10/528284
DT15 Rec'd PCT/PTO 16 MAR 2005

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DATE OF DEPOSIT: 16 March 2005

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Belinda M. Owens

(NAME)


(SIGNATURE)